

APPLICATION REPORT – 18/01023/FUL

Validation Date: 9 November 2018

Ward: Chisnall

Type of Application: Full Planning

Proposal: Erection of detached garage

Location: Land 30 Metres North Of 1 Stocks Court Heskin

Case Officer: Chris Smith

Applicant: Mr John Mawdsley

Agent: Mr Zoran Baros

Consultation expiry: 30 November 2018

Decision due by: 4 January 2019

RECOMMENDATION

1. It is recommended that this application is refused for the following reason:

The proposed development would be inappropriate development in the Green Belt and would be harmful by definition. The applicant has not demonstrated that there are very special circumstances which would outweigh the definitional harm to the Green Belt. The proposal is, therefore, contrary to the National Planning Policy Framework

SITE DESCRIPTION

2. The application site is in the Green Belt. It is an unused, flat levelled and irregularly shaped plot of land to the north of Stocks Court. Stocks Court is a small residential development of five dwellings constructed on land formally used as a vehicle workshop and engineering depot. The site bounds with open rural land to the east and with land relating to 'Sanderson's Farm' to the north. It bounds with Stocks Lane to the west.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks planning permission for the erection of a detached garage, which would measure approximately 6.8m by 9.8m. It would have a dual pitched roof with an eaves and ridge height of approximately 2.6m and 5.2m respectively. The garage would be set back within the site by approximately 20m from the public highway to the west. It would be capable of providing off road parking for 3no. cars.

REPRESENTATIONS

4. Two representations have been received citing the following grounds of objection:
 - The proposed development would be on Green Belt land
 - Proposed development would impact on the residential property no. 1 Stocks Court
 - The application form is incorrect as it states that the land is used for open storage for a building company
 - The proposed garage would not serve a residential property

- Loss of privacy
- Loss of views
- Drainage

CONSULTATIONS

5. Heskin Parish Council – Have not commented.

PLANNING CONSIDERATIONS

6. It is considered that the main issues for consideration in this application are as follows;
1. Principle of the development in the Green Belt
 2. Impact on the character and appearance of the locality
 3. Impact on the amenity of neighbouring occupiers
 4. Highway safety

Principle of the development in the Green Belt

7. National guidance on Green Belt is contained in Chapter 13 of the Framework which states:

133. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

134. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

 - not have a greater impact on the openness of the Green Belt than the existing development; or*

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified

8. The application site is located within the Green Belt. National planning policy affords stringent control of development within the Green Belt and the first stage in assessing a proposal for new buildings is to determine whether it represents an 'inappropriate' form of development; in other words, one that does not fall within the list of exceptions identified at paragraph 145 of the Framework. Any development falling outside those exceptions is 'inappropriate' and deemed harmful to the Green Belt by definition.
9. The land is vacant, serves no particular purpose, and is not previously developed land. It does not form part of the curtilage of a dwellinghouse. It is noted that a previous planning application at the same site (ref 14/00963/FUL) for a detached bungalow with integral garage, was refused on the basis that the proposed development would constitute inappropriate development in the Green Belt, as it was not considered that the site was within a built-up-street frontage or a village and thus the scheme did not benefit from the exception related to infilling. Given that there have been no changes to the character and layout of the immediate locality since this previous application and there still exists a substantial gap between the application site and the neighbouring buildings to the north of the site at 'Sandersons Farm', it is not considered that the proposed development would constitute limited infilling within a village as set out at exception e) of the Framework.
10. The proposed development is for a detached garage. It is not considered that the proposed development would fall within the list of exceptions to inappropriate development detailed at paragraph 145 of the Framework. The proposed development must therefore be considered inappropriate, which is harmful by definition, and to which substantial weight must be attached.
11. Such development should not be approved except in 'Very Special Circumstances', which will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The applicant has not demonstrated that there are any very special circumstances, which would outweigh the harm to the Green Belt by reason of inappropriateness. It is not considered, therefore, that the principle of the proposed development is an acceptable one.

Impact on the character and appearance of the locality

12. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
13. The proposed garage would be relatively modest in terms of height, size and scale and as it would be set back well within the site by approximately 20m, it would not be a highly prominent feature within the street scene. It would have a pitched roof and brickwork detailing and it is considered that these design features would reflect the residential context found to the south of the site at Stocks Court. The garage would occupy a relatively modest proportion of site and would not therefore have a detrimental impact on the surrounding area by virtue of its density, siting and building to plot ratio.

Impact on the amenity of neighbouring occupiers

14. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that the development should not cause harm to any neighbouring property by virtue of overlooking, overshadowing or overbearing.
15. The nearest neighbouring residential property at no. 1 Stocks Court, would be approximately 12.5m away from the proposed garage and the residential property at no. 2 Stocks Court would be approximately 19m away. Due to these separation distances, the positioning of the proposed garage relative to these neighbouring properties and the relatively modest height of the proposed garage it is not considered that there would any unacceptable adverse

impacts on the levels of amenity currently enjoyed by the occupiers of these properties. The proposed garage would be too far distant (approximately 65m) from the residential property to the north at 'Sandersons Farm' to have any material impact upon the setting of this property or the amenity of its occupiers. This does not, however, counteract the impact of the proposed development on the Green Belt considered above.

Highway safety

16. There is an existing access gate and vehicular access point to the site from Stocks Lane. No new access is proposed as part of the scheme and whilst the proposed development would provide car parking spaces for three cars, it is not considered that there would be a material change in significant intensification of traffic in the vicinity of the site.

CONCLUSION

17. The proposed development would not comply with any of the exceptions to inappropriate development set out at paragraph 145 of the Framework. It would therefore constitute inappropriate development in the Green Belt which is harmful by definition. The proposal is, therefore, contrary to the National Planning Policy Framework.

RELEVANT HISTORY OF THE SITE

Ref: 98/00535/FUL **Decision:** PERFPP **Decision Date:** 2 September 1998
Description: Single-storey side extension,

Ref: 99/00126/FUL **Decision:** PERFPP **Decision Date:** 23 March 1999
Description: Single-storey side extension, modification to planning permission 9/98/535,

Ref: 99/00127/FUL **Decision:** PERFPP **Decision Date:** 25 March 1999
Description: Erection of detached garage and outbuilding to form 2 stables,

Ref: 07/01331/FUL **Decision:** PERFPP **Decision Date:** 7 January 2008
Description: Erection of single storey rear extension,

Ref: 11/00145/FUL **Decision:** REFFPP **Decision Date:** 15 April 2011
Description: Extension to existing single-storey granny annex

Ref: 82/00562/FUL **Decision:** REFFPP **Decision Date:** 26 October 1982
Description: Change of use of ground floor to private restaurant

Ref: 81/00079/OUT **Decision:** REFOPP **Decision Date:** 16 March 1981
Description: 3 houses (outline)

Ref: 74/00859/FUL **Decision:** PERFPP **Decision Date:** 18 December 1974
Description: Double garage

Ref: 14/00963/FUL **Decision:** REFFPP **Decision Date:** 20 November 2014
Description: Proposed detached bungalow with integral garage.

Ref: 5/5/00476 **Decision:** CLO **Decision Date:** 16 April 1951
Description: Garage for woodcocks transport ltd

Ref: 75/00214/OUT **Decision:** REFOPP **Decision Date:** 12 May 1975
Description: Outline application for Bungalow

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National

Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.